

AN ORDINANCE **9 8 7 1 3**

**AUTHORIZING AN EXCHANGE OF APPROXIMATELY 6.014 ACRES OF REAL PROPERTY OBTAINED BY THE CITY OF SAN ANTONIO FROM SAWS TO BEXAR METROPOLITAN WATER DISTRICT FOR APPROXIMATELY 2.0 ACRES, PURSUANT TO THE PROJECT STARBRIGHT AGREEMENT.**

\* \* \* \* \*

**WHEREAS**, the City of San Antonio ("City") other governmental entities; various utility providers, including the San Antonio Water System, Bexar Metropolitan Water District ("Bexar Met") and the City of San Antonio, Texas, Starbright Industrial Development Corporation ("Corporation") have negotiated an agreement with the Toyota Motor Manufacturing North America, Inc. ("Toyota") under which certain assistance would be provided to Toyota to assist it in development of an auto manufacturing or assembly facility in San Antonio; and,

**WHEREAS**, one portion of that agreement involves the conveyance to Toyota of a tract totaling approximately two acres which is owned by BexarMet for which the City will convey title to approximately six acres of real property located across the Medina River from the Toyota Site to BexarMet to facilitate BexarMet's continued access to the Medina River in the vicinity of the Toyota site; and,

**WHEREAS**, BexarMet has agreed to exchange the properties on the terms hereof and to surrender any rights it may have to divert surface water from locations on the Toyota site; and,

**WHEREAS**, after acquisition of the two acres the City is authorizing the City Manager to subsequently convey it to the Corporation for conveyance to Toyota or its assigns; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

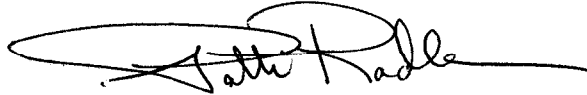
**SECTION 1.** The City Council hereby approves the exchange of real property between the City of San Antonio and the Bexar Metropolitan Water District ("BexarMet") as part of the Project Starbright Agreement through which BexarMet will convey title to approximately two acres of real property, which is more particularly identified at Exhibit A and also includes all easements appurtenant to the described property, to the City of San Antonio in exchange for the conveyance to BexarMet by the City of San Antonio of title to approximately six acres of real property which is identified at Exhibit B. Further, BexarMet will remove and relocate its facilities from the two acre tract of land to the six acre tract of land.

**SECTION 2.** The City Manager, the Deputy City Manager or an Assistant City Manager is authorized to execute any document necessary to implement this ordinance.

**SECTION 3.** Further, without limiting the foregoing, the City Manager, the Deputy City Manager or an Assistant City Manager is authorized to execute any document necessary to convey the two acre of real property identified at Exhibit A to the City of San Antonio, Starbright Industrial Development Corporation for ultimate conveyance to Toyota Motor Manufacturing, Texas, Inc., a Texas corporation as the assignee of Toyota Motor Manufacturing of North America, Inc., in partial fulfillment of the prior commitments of the City and the IDC which are more fully set out in the Project Starbright Agreement.

**SECTION 4.** This ordinance shall be immediately effective if it receives at least eight affirmative votes. Otherwise, it shall be effective on January 25, 2004.

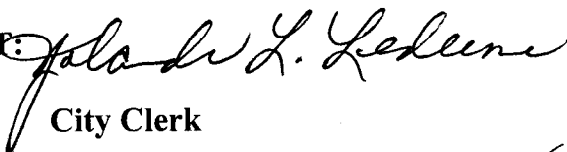
**PASSED AND APPROVED** this the 15th Day of January, 2004.



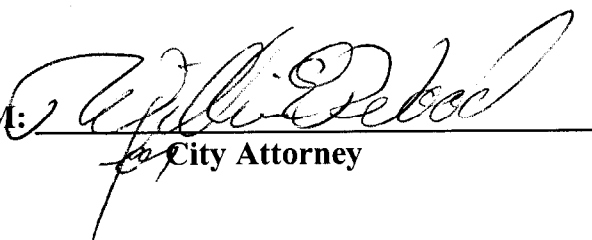
M A Y O R

EDWARD D. GARZA

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney